

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Patricia L. Lutz,

Plaintiff,

v.

Dr. Michael J. Columbus,

Defendant.

Case No.: 1:11-cv-350

Judge Michael R. Barrett

**ORDER**

This matter is before the Court on the Report and Recommendation (“Report”) filed by Magistrate Judge Karen L. Litkovitz on November 23, 2011 (Doc. 9), and Defendant’s corresponding Motion to Dismiss (Doc. 6). Proper notice has been given to the parties under Rule 72(b) of the Federal Rules of Civil Procedure including notice that the parties would waive further appeal if they failed to file objections to the Report in a timely manner.<sup>1</sup> *See United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981). No objection has been filed.

Having reviewed this matter de novo, this Court finds the Report to be correct. Accordingly, it is **ORDERED** that the Report is hereby **ADOPTED**. As the Report recommends (Doc. 9, 6), it is **ORDERED** that that Defendants’ motion to dismiss (Doc. 6) is **GRANTED**, and Defendants’ motion to have Plaintiff declared a vexatious litigator is **GRANTED**. Furthermore, Plaintiff is prohibited from filing further lawsuits against Defendants Michael J. Columbus, M.D., and The Plastic Surgery Group Inc. alleging

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<sup>1</sup> Notice was attached to the Report regarding objections. (Doc. 9, 7.)

claims arising from the September 2007 surgery performed by Defendants without first seeking leave of Court. This matter is **DISMISSED** from the docket of the Court.

**IT IS SO ORDERED.**

s/Michael R. Barrett  
United States District Judge